

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

ERICA MCCALLIE

PLAINTIFF

v.

No. 4:19-cv-503-DPM

**TRANSPLACE STUTTGART, LP;
TRANSPLACE TEXAS, LP;
TRANSPLACE FREIGHT SERVICES, LLC;
TRANSPLACE INTERNATIONAL, INC.;
FRANK MCGUIGAN; and
JAMES "JAY" MOSS, JR.**

DEFENDANTS

ORDER

1. The Court appreciates the parties' careful and thorough joint report, *No. 17*. The joint motion to file the two affidavits under seal, *No. 18*, is granted for good cause. The affidavits contain confidential information.

2. The Court agrees that the commission facts, plus the mixture of wage and non-wage claims, make this case a bit different than the usual case. But, McCallie made and is settling FLSA and AMWA claims. That circumstance, the Court concludes, triggers review of the deal. This Court should, insofar as possible, do its work in the public. Given the robust state and federal policy reflected in the minimum wage statute, this principle carries particular force in pay lawsuits. The Court therefore directs the parties to file their settlement agreement.

Considering all the material circumstances, in particular the claims mixture, the agreement is a fair, reasonable, and adequate compromise of a good faith dispute. *Lynn's Food Stores, Inc., v. U.S.*, 679 F.2d 1350, 1353-54 (11th Cir. 1982); *Melgar v. OK Foods*, 902 F.3d 775, 779 (8th Cir. 2018); *Barbee v. Big River Steel, LLC*, 927 F.3d 1024, 1027 (8th Cir. 2019). Further, the attorney's fee was negotiated apart from the parties' settlement, removing any possibility of a conflict of interest between McCallie and her lawyers. *Melgar v. OK Foods*, 902 F.3d 775, 779 (8th Cir. 2018); *Barbee v. Big River Steel, LLC*, 927 F.3d 1024, 1027 n.1 (8th Cir. 2019).

The joint motion, No 13, is granted. The Court will enter Judgment dismissing the case with prejudice after the parties file their agreement on the public docket.

So Ordered.

D.P. Marshall Jr.

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United States District Judge

26 September 2019